

EXHIBIT 261

SHANI A. PINNEY 30(b)(6)
Gov. U.S. Virgin Islands vs JP Morgan Chase

July 18, 2023

1

1 UNITED STATES DISTRICT COURT FOR THE

2 SOUTHERN DISTRICT OF NEW YORK

3 CASE NUMBER: 22-CV-10904-JSR

4 ACTION FOR DAMAGES

5 GOVERNMENT OF THE UNITED STATES)
6 VIRGIN ISLANDS,)

7 Plaintiff,)

8 VS.)

9 JP MORGAN CHASE BANK, N.A.,)

10 Defendant.)

11 -----

12
13
14
15 VIDEO RECORDED DEPOSITION OF

16 SHANI A. PINNEY

17 30 (B) (6) WITNESS

18 TUESDAY, JULY 18, 2023

19
20
21 REPORTED BY:

22 DENISE D. HARPER-FORDE
23 Certified Shorthand Reporter (CSR)
24 Certified RealTime Reporter (CRR)
25 Certified LiveNote Reporter (CLR)
Registered Professional Reporter (RPR)
Notary Public (FLORIDA)

1 door." Did we want to do it that
2 way? No.

3 You know, we would have loved
4 to. And it was actually, you know
5 -- like I said, we would love to
6 be able to go into the home of
7 every offender, including Epstein,
8 when -- when he was registering.

9 But we came to the -- you
10 know, the decision that his dock
11 had to essentially be considered
12 as his -- as his front door.

13 (BY ATTORNEY O'LAUGHLIN) :

14 Q. Why weren't you on the Friday
15 call with Ms. Carbon?

16 A. Oh, I've been on family
17 vacation. I just came back yesterday
18 evening. I've been gone since July
19 5th. So I wasn't available for the
20 call on Friday. Actually Ms. -- the
21 E-mail invite for -- for that
22 meeting.

23 Q. Okay. So you were invited to
24 the meeting by your counsel, but you
25 didn't see the invite, and so didn't

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1 attend?

2 A. I wasn't able to -- I didn't
3 see the invite. So I wasn't able to
4 attend.

5 Q. Okay. And so your counsel
6 took notes of the meeting and provided
7 them to you?

8 A. I guess this goes back to who
9 actually prepared this document. I'm
10 not sure. But this was provided to me
11 Attorney Ackerman.

12 And it was a -- and it is a
13 brief write-up of the meeting on
14 Friday with -- with Attorney Carbon.

15 Q. How much time did you spend
16 going over this document, prior to the
17 deposition this morning?

18 A. We met for about a half hour
19 yesterday, and then I received the
20 document afterwards. Had a long day
21 of traveling. I reviewed for about
22 five, ten minutes yesterday evening
23 after -- after our meeting last
24 night.

25 Q. Did you ask any follow-up

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1 that he based that based on what was
2 presented to him about Jeffrey
3 Epstein.

4 I want to think he never met
5 with Epstein in regards to, you know,
6 prior to making that decision. I want
7 to think that paperwork or documents
8 were provided to him from Epstein's
9 attorneys to show that he was a
10 business man, a financial advisor,
11 financial business man who had to
12 travel frequently.

13 Q. So you said you want to think
14 that that's the answer.

15 A. If I want to remember
16 correctly from that meeting, that is
17 what was discussed or that was what
18 was related from Attorney Frazer.

19 Q. Okay. So Attorney Frazer told
20 you that he was provided with
21 documents by Epstein's counsel --

22 ATTORNEY ACKERMAN: Object.

23 (BY ATTORNEY O'LAUGHLIN):

24 Q. -- and that's what he based
25 the determination that he was a

1 business man on, which was then also
2 the reason for granting the waiver; is
3 that correct?

4 ATTORNEY ACKERMAN: Object to
5 form.

6 THE WITNESS: Okay. So he
7 never -- I remember him saying
8 that he never met with Epstein
9 individually, but he did meet with
10 Epstein's attorneys.

11 I'm not sure if during those
12 meetings that they provided
13 documents. But prior -- or after
14 his meeting with Epstein's
15 attorneys, he was satisfied
16 enough, you know, to conclude that
17 Epstein was a business man and he
18 granted him that permission.

19 (BY ATTORNEY O'LAUGHLIN):

20 Q. Okay. So he was satisfied
21 after a meeting with his attorneys,
22 but you don't actually know what he
23 was provided to support the business
24 man conclusion?

25 A. I'm not 100 percent sure what

1 he was providing. No, I'm not.

2 Q. Okay. And that didn't come up
3 with your -- in your conversation with
4 Mr. Frazer?

5 A. Overall what I remember is
6 that he never met with Epstein. But
7 when he met with his attorneys and
8 upon his review of Epstein and his
9 businesses, he felt confidence that he
10 was a business man who had to travel
11 frequently.

12 Q. What other topics were covered
13 in your meeting with Mr. Frazer?

14 A. It was primarily that, you
15 know, since he was the AG who was
16 there when Epstein first began
17 registering and he was the first AG to
18 use his discretion, it was primarily
19 -- it was primarily based on that.

20 Q. So it was primarily that. But
21 what other topics were covered?

22 ATTORNEY ACKERMAN: Object to
23 form, asked and answered.

24 THE WITNESS: If I remember it
25 correctly, that was it. Nothing

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1 You know, so by -- by enhancing our
2 laws in 2012, that made us eligible to
3 -- us being the Virgin Islands --
4 eligible to receive funding for
5 employees to -- to monitor offenders
6 in the Virgin Islands.

7 Q. Was that funding adequate to
8 do the job that you guys had to do?

9 ATTORNEY ACKERMAN: Object to
10 form, scope.

11 THE WITNESS: If it was the
12 pos- -- that funding was used for
13 salaries. Other -- and funding
14 was also received from US Marshals
15 Services as well too, you know, to
16 purchase like iPads, you know, for
17 us to use to be able to monitor
18 offenders outside of the office.
19 You know, to be able to update the
20 registry, the online registry
21 outside the office as well too.

22 So from -- from V- -- from US
23 DoJ, that funding was used for
24 salaries, the salaries being, you
25 know, for the three positions.

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1 And then VI DoJ also -- the
2 funding was also used to purchase
3 a SORNA vehicle as well too.

4 So, you know, that vehicle was
5 used to do com- -- was used to do
6 compliance checks, one for St.
7 Thomas and one for St. Croix.

8 So I would say yes, that that
9 funding was able to allow us to --
10 to allow DoJ to hire adequate
11 staff and then to also to purchase
12 vehicles to go out to do the
13 address verifications for the
14 offenders.

15 (BY ATTORNEY O'LAUGHLIN):

16 Q. So US DoJ wasn't constrained
17 by resources in its monitoring of
18 offenders, correct?

19 ATTORNEY ACKERMAN: Object to
20 form, scope, misstates prior
21 testimony.

22 THE WITNESS: No.

23 (BY ATTORNEY O'LAUGHLIN):

24 Q. No, it wasn't constrained or
25 no, you disagree?

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1 ATTORNEY ACKERMAN: Same
2 objection.

3 THE WITNESS: Repeat the
4 question for me, please. You're
5 saying if funding constraints VI
6 DoJ from perform -- from
7 adequately monitoring offenders in
8 the Virgin Islands?

9 ATTORNEY O'LAUGHLIN: Yes.

10 THE WITNESS: And to that
11 question, I would say no, that we
12 were able to monitor the offenders
13 that were here in the Virgin
14 Islands.

15 (BY ATTORNEY O'LAUGHLIN):

16 Q. Okay. So resource constraints
17 did not limit VI DoJ's ability to
18 monitor the individuals who were
19 registered with it?

20 ATTORNEY ACKERMAN: Objection
21 to form. Misstates prior
22 testimony, and scope.

23 (BY ATTORNEY O'LAUGHLIN)

24 Q. Correct?

25 A. We were not limited, no.

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1 Q. Okay. In any way?

2 A. In any way.

3 ATTORNEY ACKERMAN: Same
4 objection.

5 (BY ATTORNEY O'LAUGHLIN) :

6 Q. Okay. When did DoJ first
7 become aware of Jeffrey Epstein?

8 ATTORNEY ACKERMAN: Objection
9 to form, scope.

10 THE WITNESS: VI DoJ first
11 became aware of Epstein, that
12 would have been before I came on.
13 But like any offender, once they
14 notify DoJ that they -- that they
15 are moving here or working here.

16 So I will assume that -- and
17 also from the -- from the
18 documents that -- that they were
19 first notified of Epstein when he
20 was living here in the Virgin
21 Islands.

22 (BY ATTORNEY O'LAUGHLIN) :

23 Q. So was it when he was -- just
24 when he was living here or when he
25 registered as a sex offender?

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1 investigation can only be launched
2 if someone launches -- if someone
3 files a criminal Complaint. I'm
4 understanding that to be a
5 Complaint being filed locally, you
6 know, with VI DoJ or you know,
7 with VIPD.

8 (BY ATTORNEY O'LAUGHLIN):

9 Q. Why does it need to be a
10 locally filed Complaint?

11 A. I'm saying that's what I
12 understand and --

13 ATTORNEY ACKERMAN: Hold on.
14 Objection, scope. You can go
15 ahead.

16 THE WITNESS: Yes. I'm saying
17 that's what I understand, you
18 know, the AG's meaning to be here
19 in this sentence. Nothing was
20 ever filed directly with VI DoJ or
21 VIPD to launch an investigation.

22 (BY ATTORNEY O'LAUGHLIN):

23 Q. And DoJ's position is that
24 unless something was filed directly
25 with them, there was no need to do any

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1 kind of investigation into Epstein?

2 ATTORNEY ACKERMAN: Objection
3 to form, scope.

4 THE WITNESS: Yeah. You know,
5 it cannot be a -- no hearsay. It
6 cannot be rumors, whispers. It
7 has to actually be someone
8 actually filing a Complaint.

9 That would have been the
10 means, you know, for any sexual
11 offender to start spark an
12 investigation or you know, if
13 information was shared directly,
14 you know, with the victim you know
15 to VI DoJ. It would have to have
16 been dir- -- it would have had to
17 have been direct communication.

18 (BY ATTORNEY O'LAUGHLIN):

19 Q. Did anyone within DoJ ever
20 push for more to be done with respect
21 to investigating Epstein?

22 ATTORNEY ACKERMAN: Objection
23 to form, scope.

24 THE WITNESS: No.

25 (BY ATTORNEY O'LAUGHLIN):

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1 disposition, it wasn't easy for me to
2 get information, to get that basic
3 information.

4 So I'm not sure if I had
5 reached out for this sort of
6 information, if it would have been,
7 you know, granted to VI DoJ. So I
8 really cannot say. I'm not sure what
9 lengths EDA went to get this
10 information. I'm not sure.

11 (BY ATTORNEY O'LAUGHLIN):

12 Q. Okay. There's -- if you keep
13 flipping, page 31 in the document,
14 there's a section of the investigation
15 that says "Online media search:
16 Jeffrey Epstein."

17 A. Uh-huh.

18 Q. And the summary says, "The
19 investigation revealed numerous online
20 negative references to Jeffrey Edward
21 Epstein, but the following two
22 negative online sources provided
23 current" substantive -- "substantive
24 overview of the nature of those
25 reports."

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1 Is there any reason that DoJ
2 could not have run searches to look at
3 public media reports?

4 ATTORNEY ACKERMAN: Objection
5 to form, scope, foundation.

6 THE WITNESS: If there's any
7 reason why VI DoJ could not have
8 conducted this same search and got
9 this same information? Any one can do
10 a search.

11 (BY ATTORNEY O'LAUGHLIN):

12 Q. Okay.

13 A. If it's -- if it's leaning --

14 Q. Oh, sorry.

15 A. I'm sorry.

16 Q. No. I didn't --

17 ATTORNEY ACKERMAN: Finish
18 your answer, please.

19 THE WITNESS: I was going to
20 say if it's leaning into a Yahoo or a
21 Google search would have been enough
22 to trump an investigation, I still --
23 I can't say that would have been
24 enough. I don't think that that would
25 have been enough.

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1 Q. And it's dated June 30th,
2 2008, correct?

3 A. Yes.

4 Q. So earlier when you testified
5 that USVI DoJ made a request to
6 Florida for certain information about
7 the underlying criminal case, was --
8 were these the documents that came
9 back?

10 A. Yes.

11 Q. Okay. And what did you learn
12 from these documents?

13 A. We learned what -- we learned
14 what he was found guilty of, the
15 crime.

16 Q. And what crime was that?

17 A. Procuring person under 18 for
18 prostitution.

19 Q. Is that a serious crime?

20 A. I would say all sexual
21 offenses are serious crimes regardless
22 of what tier they fall into.

23 Q. Are some more serious than
24 others?

25 ATTORNEY ACKERMAN: Object to

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1 form.

2 THE WITNESS: According to the
3 statute, they determine which tier an
4 offense falls into. What I want to
5 say, more serious because I think all
6 offenses, all sexual offenses are all
7 serious alike.

8 But according to the victim's
9 age, according to if it was forcible
10 rape or, you know, statutory rape,
11 that will determine what tier it falls
12 into. So I don't want to say ser- --
13 I think, like I said before, all
14 offenses are serious.

15 But according to the details
16 of the case, the details of the
17 offense, you will see certain cases at
18 the higher tier levels.

19 (BY ATTORNEY O'LAUGHLIN):

20 Q. Is this one of those cases?

21 A. At a high --

22 ATTORNEY ACKERMAN: Object to
23 form.

24 THE WITNESS: Can you repeat
25 that, please?

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1 Q. Do you know if Epstein was
2 involved at all in the legislation in
3 2012?

4 A. No.

5 ATTORNEY ACKERMAN: Object to
6 form, scope.

7 THE WITNESS: Repeat the
8 question, please.

9 (BY ATTORNEY O'LAUGHLIN) :

10 Q. Do you know if Epstein was
11 involved at all in the passage of the
12 2012 legislation?

13 ATTORNEY ACKERMAN: Object to
14 form, scope. You can answer.

15 THE WITNESS: No.

16 (BY ATTORNEY O'LAUGHLIN) :

17 Q. Do you know whether drafts of
18 the legislation were provided to
19 Epstein?

20 ATTORNEY ACKERMAN: Same
21 objection. You can answer.

22 THE WITNESS: No.

23 (BY ATTORNEY O'LAUGHLIN) :

24 Q. Do you know whether he
25 commented or expressed a view on what

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1 the legislation ought to contain?

2 ATTORNEY ACKERMAN: Same
3 objection. You can answer.

4 THE WITNESS: No.

5 (BY ATTORNEY O'LAUGHLIN) :

6 Q. Would you be surprised if
7 drafts were shared with him?

8 ATTORNEY ACKERMAN: Objection,
9 form, scope.

10 You can answer.

11 THE WITNESS: If I would be
12 surprised? Definitely.

13 (BY ATTORNEY O'LAUGHLIN) :

14 Q. Why?

15 A. Because that was within DoJ.
16 That was something that we were
17 working on within DoJ. If it was --
18 if it was shared with anyone outside
19 of DoJ, that would have been a
20 surprise to me.

21 Q. Would it have been
22 problematic?

23 ATTORNEY ACKERMAN: Object to
24 form, scope.

25 THE WITNESS: If an offender

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1 saw the draft that was being created
2 by VI DoJ for the sex offender
3 registration laws, if that would have
4 been problematic? I would say -- I
5 would say anyone seeing that draft
6 would -- would have been a problem
7 definitely.

8 ATTORNEY ACKERMAN: Good time
9 for a break? Whenever you're ready.

10 ATTORNEY O'LAUGHLIN: Sure.
11 Let's pause there.

12 ATTORNEY ACKERMAN: Okay.

13 VIDEOGRAPHER: Off the record
14 at 3:26.

15 (Off the record)

16 (Back on the record)

17 VIDEOGRAPHER: On the record.
18 The time is 3:43 P.M.

19 (BY ATTORNEY O'LAUGHLIN):

20 Q. So we were looking at Exhibit
21 12 before we took a break. And I'd
22 like to refer you Bates 12263 within
23 Exhibit 12.

24 This is a letter dated July
25 25th, 2012, from Attorney General

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1 (BY ATTORNEY O'LAUGHLIN) :

2 Q. No you don't know or you don't
3 think they were?

4 A. If other offenders were
5 granted this, I would have been aware,
6 since I was registering the
7 offenders.

8 Q. Okay. And you're not aware of
9 any other offenders that got these
10 sorts of waivers?

11 A. No.

12 Q. Okay.

13 A. I do want to say though -- you
14 said if they -- if anyone ever made
15 requests. We got complaints all the
16 time, you know.

17 So offenders, you know,
18 complain about the frequency,
19 everything all the time. So it was --
20 just wasn't to the extent, you know,
21 of this.

22 Q. What was the reason for the
23 original regime of having the 21-day
24 notice requirement?

25 ATTORNEY ACKERMAN: Object to

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1 offense, correct?

2 A. I don't agree with the last
3 part. Because I cannot say what it
4 was classified as, because it simply
5 wasn't just looking at the crime, the
6 title of the crime was also -- I
7 remember it was also looking at the
8 breakdown of the statute as well too,
9 where it detailed, you know, exactly,
10 you know, what that crime entailed.

11 Q. So who within the USVI
12 Government knows the answer to the
13 question of why Jeffrey Epstein was
14 classified as a Tier 1 offender?

15 ATTORNEY ACKERMAN: Object to
16 form.

17 THE WITNESS: Who would know
18 why?

19 (BY ATTORNEY O'LAUGHLIN):

20 Q. Yes.

21 A. I am not sure. I remember
22 that we passed them on to attorneys,
23 namely Attorney Carbon. That --
24 that's who we passed them on. I'm not
25 sure if she had an assistant who

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1 assisted her in regards to the
2 classifications, another attorney who
3 assisted her.

4 Q. So you're not aware of any
5 person who would know the answer to
6 why the USVI Government classified
7 Epstein as Tier 1?

8 ATTORNEY ACKERMAN: Object to
9 form.

10 THE WITNESS: No.

11 (BY ATTORNEY O'LAUGHLIN):

12 Q. Okay. Let's look at Bates
13 12283 within Exhibit 12.

14 A. Exhibit 12. Can you repeat
15 the page number, please?

16 Q. Yeah. It's 12283.

17 So this is a legal memorandum
18 to you from Darren Indyke, Epstein's
19 attorney, copying Monica Carbon, dated
20 September 6, 2012. And the subject is
21 "Jeffrey Epstein's qualification as a
22 Tier 1 sex offender."

23 Do you see that?

24 A. Yes, I do.

25 Q. If you look at the last

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1 do not recall or having to request a
2 memorandum explaining why Epstein
3 would have been a Tier 1 offender,
4 according to his review.

5 Q. So your testimony today is
6 that -- do you recall asking for the
7 passports, the copies of the
8 passports?

9 A. I would have quicker asked for
10 that. That sounds more practical, you
11 know, because we needed to collect
12 from offenders all of their -- all of
13 their official IDs, you know.

14 So that was a part of what we
15 did for all offenders. I would have
16 needed his two passports.

17 Q. And so your testimony sitting
18 here today is that what you likely
19 requested from Mr. Epstein was copies
20 of the U.S. passports, and then they,
21 his counsel, voluntarily submitted a
22 memorandum regarding Mr. Epstein's
23 qualification as a Tier 1 offender?

24 A. They were very proactive. So
25 I'm saying that to say with all the

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1 E-mails that, you know, is included,
2 yeah. I think they probably took it
3 upon themselves to review their -- the
4 laws on their own, and then to
5 determine on their own what they felt
6 Epstein's classification should have
7 been.

8 Q. So USVI DoJ never requested a
9 memorandum from Epstein's attorneys
10 regarding his classification as a Tier
11 1 offender?

12 A. I never did. And I don't
13 think anyone else from U.S. -- from VI
14 DoJ requested that from Epstein's
15 attorneys.

16 Q. Do you know if the memorandum
17 sent on September 6, 2012, was
18 considered by USVI DoJ as part of its
19 determination of what tier to assign
20 to Jeffrey Epstein?

21 A. What page is that again,
22 please? I'm shuffling back and forth.

23 Q. 12283.

24 A. 12283. So backwards now. All
25 right.

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1 A. I think they did that outside
2 of this memorandum from Indyke.

3 Q. Even though the E-mail says,
4 Here's the memo you requested?

5 ATTORNEY ACKERMAN: Object to
6 form, misstates prior testimony.

7 THE WITNESS: To me, the
8 E-mail says, As requested, the two
9 U.S. passports. English is a very
10 funny language. I think that he just
11 threw that part in there. Not saying
12 that I requested a memorandum.

13 (BY ATTORNEY O'LAUGHLIN) :

14 Q. Okay. And that's your
15 testimony here today?

16 ATTORNEY ACKERMAN: Objection.
17 Of course it's her testimony. I mean
18 --

19 ATTORNEY O'LAUGHLIN: That's
20 not an objection.

21 ATTORNEY ACKERMAN: Okay.
22 Fine. Objection to form, improper
23 question.

24 THE WITNESS: Oh, yes, that's
25 a yes.

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1 A. How frequent the sweeps occur?

2 There was no set-in-stone time for the
3 frequency of the sweeps to occur. It
4 would be something where we were in
5 constant communication with the US
6 Marshals Services. And they will let
7 us know, Hey, you know, this will be
8 the time for an upcoming sweep.

9 Q. Do you have an estimate of how
10 frequently they occurred?

11 A. I would say perhaps once a
12 year depending on funding.

13 Q. Okay. Funding from where?

14 A. Funding that the US Marshals
15 Services received. So the US Marshals
16 is Federal funding to conduct the
17 operational sweeps.

18 Q. Okay. And during a sweep,
19 what was the objective?

20 A. The objective was to verify
21 the address of the -- that the sex
22 offender had on record as their
23 permanent residence.

24 Q. What does verify mean?

25 A. Verify, verification process

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1 follow-up. We would have -- we might
2 have circled back. Remember, so we
3 went from Sunday to Sunday. If during
4 that -- if we went on Monday and we
5 weren't able to verify, we might
6 circle back because again, you know,
7 sometime during the days of the rest
8 of the week, yes, we would have.

9 Q. Okay. And if you weren't able
10 to make contact during the sweep
11 week, would there be further
12 follow-up?

13 A. There would be further
14 follow-up.

15 ATTORNEY ACKERMAN: Object to
16 form, scope.

17 You can answer.

18 THE WITNESS: Okay. So after
19 the -- so yes, we -- efforts would
20 have been made to follow up again. If
21 you are speaking pertaining to Jeffrey
22 Epstein, that's a different scenario
23 because VI DoJ does not own a vessel.

24 And to confirm the address for
25 Epstein, US Marshals Services, they

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1 would go about setting up, you know,
2 the necessary accommodations that --
3 that would have been needed to go out
4 to Epstein's island.

5 So if there was an incident
6 where we attempted to complete a
7 compliance check with Epstein and he
8 was not on the island or he was not at
9 work. Let's say he was off island,
10 and that incident did happen at one
11 time.

12 It wouldn't have -- it would
13 have not been easy to just simply get
14 another boat, you know, two days later
15 to go back to verify his address.

16 Q. Did you try?

17 A. Did we try? The US Marshals
18 Services, it was -- it was their
19 efforts. So if they tried afterwards,
20 US Marshals Services, they were --
21 they were typically employed -- their
22 team came from Florida and from the
23 southern US. So they were here at a
24 time within a time frame.

25 So if they weren't able to

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1 confirm with Epstein to complete his
2 compliance check within that time
3 period, they would have tried. But
4 once they went back, that was it. You
5 know, the operation ended at that
6 point.

7 Q. And there wouldn't have been
8 any further follow-up, correct?

9 A. Further follow-up in regards
10 to verifying his address?

11 Q. Yeah.

12 A. Well, if we go there and
13 Epstein -- remember I said before
14 another person in the home can, you
15 know, confirm that the offender was
16 living there. Ideally we do want to
17 see the offender in person.

18 However, an offender not being
19 at the address does not -- does not
20 immediately mean that they are in
21 noncompliance or, you know, it -- it
22 wouldn't immediately mean they were in
23 noncompliance if -- within the team if
24 it was agreed that, okay, you know,
25 he's off island right now or, you

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1 know, we can meet him at his office,
2 then that would have been enough to,
3 you know, to -- at the time for, you
4 know, during the week of the checks.

5 Q. You testified earlier that
6 USVI DoJ SOR unit purchased a car?

7 A. Uh-huh.

8 Q. Why?

9 A. I testified earlier that the
10 vehicle was used to conduct the
11 verification checks --

12 Q. So --

13 A. -- the compliance checks.

14 Q. So the car was only used
15 approximately once a year?

16 A. No. Remember I also said
17 that -- that during the year, we would
18 also verify the addresses of
19 offenders, you know, if they
20 relocated, if they had a new address.
21 Within that time, I think it's seven
22 days, that we would also go out to
23 verify their addresses.

24 Q. Were there any other reasons a
25 car would be used?

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1 this -- these pictures or evidence.

2 ATTORNEY O'LAUGHLIN: Yes.

3 THE WITNESS: I never did, but

4 I did share this

5 E-mail with investigators and also

6 with the criminal defense attorney.

7 ATTORNEY O'LAUGHLIN: Let's

8 enter Tab 23 as Exhibit 23.

9 (Whereupon, Defendant's

10 Exhibit No. 23, E-mail, dated

11 February 25, 2019, was marked

12 for identification)

13 (BY ATTORNEY O'LAUGHLIN):

14 Q. This is an E-mail from you,

15 and it's a forward of the E-mail we

16 were just looking at to an Anola

17 Duncan, Quincy McRae, Carol Jacobs,

18 copying Kevin Augustin; correct?

19 A. Correct.

20 Q. Was this what you were just

21 talking about as -- when you passed

22 this information along?

23 A. Yes.

24 Q. Who are you to the people on

25 this distribution list?

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1 A. Anola Duncan was the AG's
2 secretary. Quincy McRae was the
3 criminal -- the chief over the
4 criminal division. Carol Jacobs --
5 Carol Jacobs, she -- I don't see
6 Denise in here.

7 So Carol must have been the
8 acting AG, and Kevin Augustin was the
9 -- Kevin Augustin was the investigator
10 for SORNA.

11 Q. Do you know what, if any,
12 follow-up they did in response to you
13 passing this information along?

14 ATTORNEY ACKERMAN: Object to
15 form.

16 THE WITNESS: I am not sure if
17 anything was done, followed up. I'm
18 not sure if anything was done. It --
19 I wasn't aware of it.

20 (BY ATTORNEY O'LAUGHLIN) :

21 Q. Okay. So as far as you know,
22 you E-mailed it, but there was no
23 further follow-up?

24 ATTORNEY ACKERMAN: Object to
25 form.

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1 THE WITNESS: As far as I
2 know, nothing else was relayed back to
3 me about a follow-up to this E-mail.

4 (BY ATTORNEY O'LAUGHLIN):

5 Q. Okay. And did you follow up
6 with any of them to be like, Hey, what
7 happened with this?

8 ATTORNEY ACKERMAN: Object to
9 form.

10 THE WITNESS: There were other
11 follow-ups, but it was -- it was
12 pertaining to the same offender
13 sending threatening E-mails as well
14 too, referring to me as a monkey,
15 referring, you know -- you know, to us
16 being -- you know, very harsh
17 explicatives, you know, within the
18 E-mail.

19 So within this -- within this
20 -- this offender's file, there are
21 several other E-mails that he -- he
22 would send E-mails 3:00, 4:00 in the
23 morning. But, you know, nonetheless,
24 I still forwarded this E-mail on
25 because he spoke about him having

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1 asked which works best for us. But it
2 was the Marshals Service who would
3 essentially, you know, decide which
4 dates were best.

5 Q. Okay. And by the way, are the
6 address verifications the same thing
7 as the sweeps that you described, that
8 you -- it was a term you used
9 earlier?

10 A. Yes. So the US Marshals
11 Services, they titled those. They
12 called the operation as Operation
13 Island Sweep.

14 Q. Okay. And when -- what is the
15 purpose of the sweep or the address
16 verification?

17 A. The purpose is to confirm that
18 what the offender has provided as
19 their permanent residence, and also
20 instances may also be their employer
21 address, that that is true and -- and
22 correct.

23 Q. Okay. When you performed or
24 when the DoJ performed sweeps to
25 verify Mr. Epstein's address, did DoJ

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1 compliance because a search of their
2 home was not required to complete that
3 address verification.

4 Q. Okay. Thank you.

5 You testified earlier one of
6 the things you did in preparation for
7 this deposition was to review the
8 testimony of Inais Borque, right?

9 A. Yes.

10 Q. Okay. There was testimony in
11 Ms. Borque's deposition about
12 performing weekly checks of offenders.
13 Do you recall that testimony?

14 A. I do recall reading that in
15 her -- in her deposition, yes.

16 Q. Okay. Was it the practice of
17 the Virgin Islands DoJ SORNA office to
18 conduct weekly checks of sex offenders
19 during the time period that you worked
20 in that office?

21 A. No, it was not.

22 Q. Thank you.

23 I want to go through a few
24 exhibits, and I'll try to just go
25 quickly. But let's start with Exhibit

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1 But do you know who the sex offender
2 is?

3 A. Yes.

4 Q. Okay. First let's look at the
5 bottom E-mail. What was the sex
6 offender demand -- or was the sex
7 offender demanding something from the
8 DoJ SORNA office?

9 A. He was demanding to be removed
10 from the registry.

11 Q. Okay. Was this a frequent
12 demand from this individual?

13 A. Yes.

14 Q. Did you consider this
15 individual's statements regarding
16 claiming to have audio and video of
17 things going on on Little St. James
18 credible?

19 A. I personally made the decision
20 to forward it on. If it was
21 creditable, it may have been, but the
22 offender was very questionable. He
23 was an habitual drug user, you know.
24 And a lot of his other E-mails would
25 come 3:00, 4:00, 2:00, 5:00 o'clock in

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1 the morning, and very belligerent, you
2 know, very broken up, very cut-up
3 language, you know. So anything can
4 be creditable. That's why I forwarded
5 it on, you know. But his -- as
6 an individual, he was very
7 questionable.

8 Q. Okay. Thank you. You can put
9 that aside.

10 There was a lot of discussion,
11 or there was some discussion today
12 about warrants. And I want to ask, in
13 your capacity in your work for the
14 SORNA unit, were you involved in
15 attempting to obtain warrants from
16 magistrate judges in the Virgin
17 Islands?

18 A. Yes.

19 Q. Describe just generally what
20 the nature of your involvement was.

21 A. It wasn't always easy to get
22 those warrants. That is why we
23 created that notification need to
24 register so it can be a clear document
25 that we attach along with the

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1 Objection.

2 THE WITNESS: Directly, no.

3 The AG entrusted that the SORNA --

4 that the SORNA employees and the

5 investigators, that we were doing

6 that. And of course, you know, we

7 will meet with her if need be.

8 (BY ATTORNEY ACKERMAN):

9 Q. Okay. A lot of discussion
10 today about waiver of travel
11 requirements. Do you recall that, all
12 that testimony?

13 A. Yes.

14 Q. Are you aware of any other sex
15 offender in the Virgin Islands who
16 requested a more permanent waiver
17 similar to what Mr. Epstein
18 requested?

19 A. To my knowledge, no.

20 Q. There was discussion about the
21 tiering, the tier classification of
22 Mr. Epstein, correct?

23 A. Yes.

24 Q. Okay. Does the tier class --
25 under Virgin Islands law, does the